

PRIVATE SALE OF TAX CLAIM PROPERTY

Taxes on the properties available for sale are delinquent for a period of not less than two years, and properties have been exposed to Upset Sale with no bid having been received. Properties are available for Private Sale. **PROPERTIES PURCHASED THROUGH THE TAX CLAIM BUREAU CARRY NO WARRANTY OF TITLE.**

It is advisable to conduct a title search prior to submitting a bid. In some instances it may be advisable to file an action to quiet title after the sale. Your attorney can best advise you in these matters.

The Tax Claim Bureau may act as Trustee for any or all of the taxing districts: County, Municipality, and School and as such, seeks to collect all of the delinquent taxes filed with the Bureau. The Tax Claim Bureau may be contacted at 570-825-1512.

CRITERIA FOR SUBMITTING BIDS FOR PRIVATE SALE

1. The Tax Claim Bureau has the discretion to approve any price for private bid. In order for a bid to be considered, it must be in the amount of the delinquent taxes, interest, and penalties owed on the property, as well as any current year taxes that have become due. Additionally, any taxes that become due before the bid is finalized also must be paid to the Bureau prior to the bidder receiving a deed to the property. The Tax Claim Bureau retains the right to accept or reject all bids.
2. When placing a bid, the purchaser will be required to pay, in addition to the amount of the bid:
 - a. Fees in the amount of \$500.00 to cover advertising and postage costs
 - b. A deed preparation fee of \$25.00
 - c. A transfer tax based on the fair market value of the property, or the purchase price if it exceeds the fair market value. Under no circumstances will any property be reassessed prior to the recording of the deed.
 - d. A deed recording fee. An additional fee may be added for names over four, or extra pages.
 - e. A \$20.00 UPI (Uniform Parcel Identifier) fee.
3. Bids must be submitted in writing, signed by the person or persons making the bid.
4. **Bid must be accompanied by a certified or cashier's check or money order for the purchase price and all costs, as set forth above, payable to Elite Revenue Solutions, LLC, which shall be placed in escrow pending approval of the sale.**
5. At the time a bid is submitted, the bidder must provide a notarized affidavit stating that they have no delinquent taxes and no outstanding municipal bills within Luzerne County and that they are not submitting a bid on behalf of an entity or person who has delinquent taxes or outstanding municipal bills within Luzerne County.
6. Proper to accepting the bid, the Tax Claim Bureau shall send written correspondence to the taxing districts requesting written instructions regarding the acceptance or rejection of said bid. The receipt of additional bids proper to acceptance of the bid will result in an auction of the property. The date and terms of said auction will be established by the Tax Claim Bureau at its discretion. If the bid is acceptable to the taxing districts or if the taxing districts do not recommend rejecting the bid, the bid will be accepted. Once a bid is accepted the following procedure will be performed pursuant to the Real Estate Tax Sale Law:
7. The bid will be advertised two (2) times within ten (10) days in the Luzerne Legal Register and a newspaper of general circulation.
8. The taxing districts and the assessed owner of the property will be notified of the proposed sale and have the right, within the aforementioned forty five (45) day period, to file an objection to the sale in the Court of Common Pleas of Luzerne County. The owner also has the right to retain the property within that time frame by payment in full of all taxes and costs due.
9. If no objections are filed, a petition will be filed with the Court of Common Pleas seeking confirmation of the sale.
10. If the successful bidder fails to comply with the terms and conditions of the sale, they will forfeit ALL monies already paid to the Tax Claim Bureau.
11. If the sale is declared void due to an error on the part of the Bureau or overturned by an Order of the Court of Common Pleas or retained by the owner, the bidder's money will be refunded.
12. Upon completion of the Private Sale, the Property will be sold free and clear of all real estate tax claims and tax judgments.
13. Other terms, if any, are at the discretion of the Tax Claim Bureau.
14. **THE ENTIRE PROCEEDS MAY TAKE SIX MONTHS TO ONE YEAR TO COMPLETE.**

PRIVATE SALE AGREEMENT

AGREEMENT, made this ___ day of __, 20___, between Elite Revenue Solutions as agent for the Tax Claim Bureau of Luzerne County and _____ (Bidder), who hereby submits a bid for the Private Sale of Parcel No. _____, Location _____ Assessed Owner(s) _____.

BIDDER AGREES TO:

- A. Submit all bid monies and costs, which include, but may not be limited to, transfer tax, advertisement, deed preparation, uniform parcel identifier fee and recording fee, by certified or cashier's check or money order payable to Elite Revenue Solutions, at the time the bid is placed.
B. Submit, with this agreement, certification, in the form of a notarized affidavit, that bidder is not delinquent in paying real estate taxes owned to any taxing body within Luzerne County, and further, that he is not delinquent in paying any billed owed to a municipality within Luzerne County.

BIDDER UNDERSTANDS:

- A. Bidder will forfeit ALL monies paid to the Tax Claim Bureau if he fails to comply with the terms and conditions set forth herein.
B. The property will be sold free and clear of those delinquent real estate taxes filed with the Tax Claim Bureau. Current years taxes, and/or any delinquent real estate tax which may be filed with an alternate collector, are NOT paid by this sale and are the responsibility of the purchaser.
C. There MAY be liens, judgments or mortgages filed against the property. It is the responsibility of the BIDDER to determine the existence of any liens, etc. filed against the property.
D. Pursuant to 72 P.S. Section 5931, all sales by the Tax Claim Bureau are subject to the rule of CAVEAT EMPTOR. In every case, the property is offered for sale by the Bureau WITHOUT GUARANTEE OR WARRANTY WHATSOEVER, whether as to existence, correctness or ownership, size, boundaries, location, structures or lack of structures upon the land, liens, titles or any matter or thing whatever.
E. The bid will be advertised and for a forty-five (45) day period thereafter higher bids will be accepted.
F. If higher bids are received, an auction will be scheduled by the Tax Claim Bureau.
G. The assessed owner and the taxing districts retain the right to object to the sale by means of a petition filed in the Court of Common Pleas of Luzerne County within the above-mentioned forty-five (45) day period.
H. The owner has the right to retain the property by payment in full, within the aforesaid forty-five (45) day period, of all delinquent taxes, penalty, interest and costs, including costs incurred as part of this sale, which are due and payable to the Tax Claim Bureau.
I. The property will not be reassessed prior to recording the deed.
J. A bid submitted by an Attorney, on behalf of a client, must be accompanied by a notarized statement, conveying the interest of said Attorney to his client, and providing the client's full name and address, and the client's notarized affidavit as required herein.

HAVING REVIEWED THIS AGREEMENT, I ACCEPT AS BINDING THE TERMS AND CONDITIONS, AS DESCRIBED HEREIN, OF THE PRIVATE SALE OF THE ABOVE REFERENCED PARCEL.

Amount of Bid \$ _____

Signature of Bidder

Transfer Tax _____

U.P.I. Fee _____

Address of Bidder

Recording Fee _____

Phone#

Deed Prep \$25

Approx. Costs _____

Date

Approx. Total \$ _____ less deposit of \$ _____ = Approx. Balance \$ _____

----- For Office Use Only -----

ID verified by: Driver's License Social Security Card Credit Card Other (circle one)

(Employee initials below)

Taxes checked _____

Municipal Liens checked _____